

UNITED STATES ATTORNEY'S OFFICE

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

<i>In re</i> DANA LYNN FRANKS, Debtor.	Chapter 7 Case No. 24-19171-JNP Judge: Hon. Jerrold N. Poslusny, Jr.
DANA LYNN FRANKS, Plaintiff, v. U.S. DEPARTMENT OF EDUCATION, Defendant.	Adv. Pro. No. 25-01105-JNP

ANSWER TO THE COMPLAINT

Defendant, the United States Department of Education (“DOE” or “Defendant”) by and through its undersigned counsel answers the Complaint to Determine Dischargeability of Debts (“Complaint”) by Debtor and Plaintiff, Dana Lynn Franks (“Debtor” or “Plaintiff”) as follows:

Jurisdiction

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. In response to Paragraph 5, DOE consents to entry of final judgment by this Court.
6. Admitted.

Parties

7. With respect to Paragraph 7, DOE admits knowledge of Plaintiff's residence at 102 Brookdale Place, Clementon, New Jersey 08021 as listed in Bankruptcy Petition No. 24-19171-JNP.
8. With respect to Paragraph 8, DOE admits that it is a government entity with multiple office locations.
9. With respect to Paragraph 9, DOE restates and incorporates its responses to the allegations in Paragraph 8 as if fully set forth herein.

Facts

10. With respect to Paragraph 10, DOE restates and incorporates its responses to the allegations in Paragraph 3 as if fully set forth herein.
11. With respect to Paragraph 11, Plaintiff's bankruptcy schedules are public documents, the contents of which speak for themselves.

12. With respect to Paragraph 12, DOE restates and incorporates its responses to the allegations in Paragraph 11 as if fully set forth herein.

13. With respect to Paragraph 13, DOE restates and incorporates its responses to the allegations in Paragraph 11 as if fully set forth herein.

14. With respect to Paragraph 14, DOE is without knowledge or information sufficient to form a belief as to the truth of the allegations.

15. With respect to Paragraph 15, DOE is without knowledge or information sufficient to form a belief as to the truth of the allegations.

16. With respect to Paragraph 16, the contents of Plaintiff's bankruptcy docket under Bankruptcy Petition No 24-19171-JNP speak for themselves.

17. With respect to Paragraph 17, DOE restates and incorporates its responses to the allegations in Paragraph 16 as if fully set forth herein.

18. With respect to Paragraph 18, DOE is without knowledge or information sufficient to form a belief as to the truth of the allegations. By way of further answer, DOE admits that Plaintiff secured two loans (the "Loans") from DOE. The Loans was disbursed in the amounts of \$25,774.00 and \$15,177.00 on April 10, 2019. The Loan was made by DOE under the William D. Ford Federal Direct Loan Program under Title IV, Part D of the Higher Education Act of 1965, as amended, 20 U.S.C. 1070 *et seq.* (34 C.F.R. Part 685). A total of \$680.50 in unpaid interest was capitalized and added to the principal balance. Altogether, the Plaintiff cumulatively owes DOE \$41,631.50.

COUNT I – DISCHARGEABILITY OF DOE DEBT

19. DOE repeats its above responses to the allegations in the Complaint as if set forth in full herein.
20. Paragraph 20 states legal conclusions as to which no response is required.
21. Paragraph 21 states legal conclusions as to which no response is required.
22. Paragraph 22 states legal conclusions as to which no response is required.
23. Paragraph 23 states legal conclusions as to which no response is required.
24. Paragraph 24 does not contain factual allegations that require a response.

ALINA HABBA
United States Attorney

By: /s/ Eamonn O'Hagan
EAMONN O'HAGAN
Assistant U.S. Attorney
*Attorneys for the United States
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Dated: April 11, 2025